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PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	James N. CURTI and Peter W. SALTER
Serial no.	:	10/730,291
Filed	:	December 5, 2003
For	:	NASAL AND ORAL CANNULA BREATHING DETECTION DEVICE
Group Art Unit	:	1732
Examiner	:	Matthew J. DANIELS
Docket	:	SALTER P42AUSP2

The Commissioner for Patents  
U.S. Patent & Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

## RESPONSE TO COMMUNICATION MAILED JULY 6, 2007

Dear Sir:

[XXX] NO FEES ARE PAYABLE WITH RESPECT TO THIS RESPONSE.
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In response to the communication mailed July 6, 2007 and further in response to the official action mailed December 27, 2007 concerning the above referenced matter, please enter the following upon reconsideration of this application.

## REMARKS

In the communication mailed July 6, 2007, the Examiner indicates that the Applicant did not respond to the nonstatutory obviousness-type double patenting rejection raised on page 4, beginning at line 20 of the December 27, 2006 official action. In response, the Applicant further responds as follows

Claims 13-33 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over the claims 1-9 of Curti (U.S. Patent No. 6,533,984 B2). The Applicant acknowledges and respectfully traverses this raised double patenting rejection in view of the following remarks.